

Legislative Fiscal Bureau

Fiscal Note

SF 169 - Sexual Exploitation Teachers, Checks (LSB 1284 XS)

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Fiscal Note Version — New

Description

Senate File 169 creates a criminal offense of sexual exploitation by a school employee, provides a penalty, and permits the Board of Educational Examiners (BOEE) to perform record checks of individuals seeking renewal of a license or certificate.

Background

Currently, the Board of Educational Examiners conducts approximately 5,000 background checks annually for applicants seeking new licenses. The fee is \$18, which includes \$10 that is passed through to the Department of Public Safety, Division of Criminal Investigation (DCI); \$2 that is passed through to the Information Technology Department (ITD) for processing charges; and \$6 that is retained by the BOEE to defray personnel costs associated with 1.0 temporary FTE position for a clerk to process the information. In addition, the BOEE has 1.0 FTE position for an investigator to conduct investigations. Denials of licensure may result in hearings that require the compensation of hearing officers at \$65 per hour. There were 12 hearings in FY 2002 at an average cost of \$1,051 per case.

Assumptions

1. The BOEE will conduct an additional 15,000 background checks annually and charge each applicant a fee of \$18, \$6 of which will be retained by the BOEE to defray costs.
2. The BOEE will require an additional 2.0 FTE positions for office support staff at \$30,000 each and 1.0 FTE position for an Investigator II at \$45,000; these costs include salary and benefits.
3. Denials and revocations will result in 25 additional hearings annually, at an average cost of \$1,051 per case.
4. The additional staffing will result in the need for three additional computers at a one-time cost of \$6,000.
5. The additional workload will result in additional expense for printing and supplies of \$2,000 annually.
6. It is also assumed that the \$10 pass-through fee to DCI and the \$2 pass-through fee to ITD are sufficient to cover the costs to those agencies.

Correctional Impact

The correctional impact of SF 169 cannot be determined due to insufficient information with which to estimate the number of additional convictions, prison terms, jail terms, and/or probation terms that will result.

Fiscal Impact

The estimated net fiscal impact of SF 169 to the operating funds of the Board of Educational Examiners is as follows:

	<u>FY 2004</u>	<u>FY 2005</u>
<u>Revenues</u>		
Applicant fees	\$270,000	\$270,000
<u>Expenditures</u>		
Salaries	\$105,000	\$105,000
Pass-through fees	180,000	180,000
Hearing costs	26,000	26,000
Other	8,000	2,000
Total expenditures	<u>\$319,000</u>	<u>\$313,000</u>
Net impact	<u>\$-49,000</u>	<u>\$-43,000</u>

Source

Board of Educational Examiners

/s/ Dennis C Prouty

March 5, 2003

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.
